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AN ACT

RELATING TO PROBATE; CLARIFYING PARENT AND CHILD RELATIONSHIP
INTESTATE INHERITANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 45-2-114 NMSA 1978 (being Laws 1993,
Chapter 174, Section 16) is amended to read:

"45-2-114. PARENT AND CHILD RELATIONSHIP.--

A. Except as provided in Subsections B and C of
this section, for purposes of intestate succession by,
through or from a person, an individual is the child of his
natural parents, regardless of their marital status. The
parent and child relationship may be established under the
Uniform Parentage Act.

B. An adopted individual is the child of his
adopting parent or parents and not of his natural parents,
but adoption of a child by the spouse of either natural
parent has no effect on:

(1) the relationship between the child and
that natural parent; or

(2) the right of the child or a descendant
of the child to inherit from or through that nonsevered
natural parent.

C. Inheritance from or through a child by either
natural parent or his kindred is precluded unless that

1 natural parent has openly treated the child as his and has

2 not refused to support the child."

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